

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

BERNICE DEEM,

Plaintiff,

v.

CIVIL ACTION NO. 2:06-cv-00343

BB&T CORPORATION, et al.,

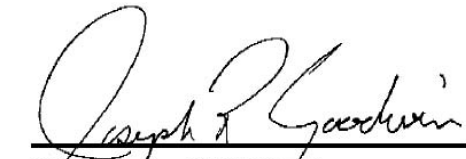
Defendants.

**MEMORANDUM OPINION AND ORDER**

Pending before the court is the plaintiff's motion to remand [Docket 7]. Though the memorandum accompanying the plaintiff's motion violates this court's local rules for page limitation, I have considered the plaintiff's arguments set forth in that memorandum. Because most, if not all, of the plaintiff's grounds for relief are preempted by the Employee Retirement Income Security Act of 1974, this court has subject-matter jurisdiction. Accordingly, I **DENY** the plaintiff's motion to remand. I do, however, **GRANT** the plaintiff leave to respond to the defendants' pending motion to dismiss within fourteen days; the defendants may then file a reply if necessary.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 17, 2006

  
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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE